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FM AMEMBASSY RANGOON  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4399  
INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHBJ/AMEMBASSY BEIJING 0801  
RUEHBY/AMEMBASSY CANBERRA 9572  
RUEHKA/AMEMBASSY DHAKA 4102  
RUEHLO/AMEMBASSY LONDON 1561  
RUEHNE/AMEMBASSY NEW DELHI 3279  
RUEHUL/AMEMBASSY SEOUL 6673  
RUEHTC/AMEMBASSY THE HAGUE 0510  
RUEHKO/AMEMBASSY TOKYO 4287  
RUEHCI/AMCONSUL CALCUTTA 0693  
RUEHCN/AMCONSUL CHENGDU 0694  
RUDKIA/AMCONSUL CHIANG MAI 0327  
RUEATRS/DEPT OF TREASURY WASHDC  
RUEHGV/USMISSION GENEVA 2627  
RHEHNSC/NSC WASHDC  
RUEKJCS/SECDEF WASHDC  
RUEKJCS/JOINT STAFF WASHDC  
RUCNDT/USMISSION USUN NEW YORK 0269  
RUEHBS/USEU BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000462

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STATE FOR EAP/MLS, G/TIP, INL/HSTC, DRL, PRM, EAP/RSP;  
PACOM FOR FPA

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TAGS: [PHUM](#) [PREF](#) [ELAB](#) [SMIG](#) [KWMN](#) [KCRM](#) [BM](#)

SUBJECT: SOMETHING BETTER THAN NOTHING:FIGHTING TIP IN BURMA

REF: RANGOON 171

RANGOON 00000462 001.2 OF 003

Classified By: Econoff TLManlowe for Reason 1.4 (b,d).

11. (SBU) Summary: High level GOB attendance gave the first anti-Trafficking in Persons National Seminar the visible support needed for lower level officials to implement Burma's new Anti-Trafficking Law. International NGOs had unprecedented input on the drafting process, the first time the current regime allowed outside input for any law, and have made it among the strongest anti-TIP laws in the region.

Also uncharacteristically, senior GOB officials participated actively in the seminar, representatives from different government agencies openly engaged each other, GOB sponsors welcomed input from foreigners, and the rights of victims were highlighted. Working level GOB officials expressed a commitment to implement the law and an interest in international support, acknowledging the senior regime leadership is indifferent to the problem. End summary.

#### High Ranking Attendees Set Ambitious Goals

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12. (U) Over one hundred GOB officials, foreign diplomats, and UN and INGO participants, attended the "National Seminar on Anti-Trafficking in Persons," co-sponsored by the UN Interagency Project on Human Trafficking (UNIAP) and the Ministry of Home Affairs on February 28 to March 1 in Rangoon. The organizers' goals were: to raise awareness of government officials, law enforcement officers, and the general public about the GOB's new anti-Trafficking Law, issued in September 2005; to identify steps for effective implementation; and to provide a forum for governmental and non-governmental sectors to cooperate. The local press provided extensive coverage of the event in the government's official newspaper.

¶3. (SBU) The high level of GOB support, both in the rank of the attendees, and by their continued presence throughout the seminar surprised and delighted UNIAP organizers. "Never before had this happened," said Dr. Ei Kalya Moore, UNIAP National Project Coordinator. Minister of Home Affairs Maung Oo attended the opening event and returned to give closing remarks, which forced a delay of the state dinner for visiting Indonesian President Yudhoyono. The Deputy Minister of Home Affairs chaired the entire workshop, and the Deputy Attorney General, the Deputy Minister of Social Welfare, several Supreme Court Justices, and other high level officials from over twenty-five government departments and ministries actively participated for the entire two-day seminar.

¶4. (U) SPDC Secretary 1, Lt. Gen. Thein Sein, gave the keynote address, which highlighted the "unprecedented" drafting process for the new trafficking law because the draft was discussed with "internal and external experts", including UN agencies and an Australian anti-Trafficking NGO, ARCPPT. He then challenged the group to "throw caution to the wind," and prove to skeptics that Burma can implement the comprehensive law effectively. He noted the victim-centered, rights-based focus of the new law, and said it promotes gender sensitivity and child-friendly approaches. The Minister of Home Affairs welcomed participants and said the Seminar was an "important milestone" in the history of Burma, calling on all government departments, NGOs, and INGOs to cooperate in the fight against trafficking.

¶5. (U) After two days of presentations and discussions, seminar participants drew up fourteen recommendations for further action. Primary among these are: development of rules and regulations to implement the law; capacity building

RANGOON 00000462 002.2 OF 003

and training for MFA, police, attorneys, immigration officers, and other officials; research and data collection; establishment of bilateral and multilateral MOUs for further cooperation; development of a new National Action Plan (NAP); fundraising efforts; and increased inter-ministry cooperation.

#### U.S. Ranking Still Rankles

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¶6. (U) UNIAP organizers told us that the USG's TIP report figured prominently at the Seminar, as participants expressed frustrations that, despite their anti-trafficking efforts, Burma would retain its Tier 3 ranking, primarily because of ongoing state-sanctioned forced labor. Police Col. Hkam Awng told participants early in the seminar not to focus on the U.S. ranking, but to work hard to implement the new law. Police Col. Khin Maung Si added, "In spite of one-sided allegations and imposing of sanctions, Burma will continue to strive all out for the prevention and suppression of trafficking in persons."

#### Next: A National Action Plan and More Seminars

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¶7. (C) One day after the seminar, a working group met to draft a new NAP that conforms to UN conventions, regional agreements, and domestic laws. Officials from the Ministry of Defense (MoD) also attended, their first-ever participation in an anti-trafficking event. Organizers saw this as an opportunity to inform MoD officials about the applicability of the law to cover forced conscription, child soldiers, and forced labor. At a later meeting, Col. Sit Aye, the head of the Police Transnational Organized Crime Unit at Home Affairs Ministry, told us, "These people (the military) are under the same law, it applies to them, too. It is time that they started to engage and join the efforts." He acknowledged that the GOB has not made any efforts to address forced labor, and claimed that his department had no power to influence those policies.

¶8. (C) At the NAP drafting session, Police Col. Khin Maung Si, from Special Branch and newly assigned to the TIP unit, raised issues about reform of migration policies to reduce irregular migration, a leading cause of trafficking. UNIAP organizers were pleased he raised the topic, as they had not put this on the agenda because they thought it would be too sensitive. Khin Maung Si discussed liberalizing the GOB's highly restrictive travel policies to include easing passport issuance and supporting more legal migration.

¶9. (SBU) The Ministry of Home Affairs and UNIAP will replicate the seminar in various trafficking "hot spots" for regional commanders and local authorities, and then move to State/Division-level and township-level training. Coordination of the next seminars, according to UNIAP reps, will be difficult because most government officials have now relocated to the new administrative capital in Pyinmana.

#### Working With Thailand, and a Plea For Help

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¶10. (C) On March 29, Col. Sit Aye told us that, for the first time, Thailand agreed to hand over a Burmese national accused of trafficking violations who is now living in Bangkok. Earlier, he had expressed frustration to us about the lack of action by Thai police on the information his unit provided on the case. He also requested USG assistance in developing the capacity of legal authorities and law enforcement officials to implement the trafficking law. "We have made commitments to meet international standards," he said, "but we have no expertise, and few resources to pay for international travel to receive training."

RANGOON 00000462 003.2 OF 003

¶11. (C) At the working level, officials eagerly profess the GOB's commitment to implement the law, but officials from headquarters have been frank with us about the severe budgetary, capacity, and communication constraints they face. The officials made it clear they welcome financial, program, training and advisory support from foreigners, and authorities actively cooperate with the INGOs working in this field, including World Vision, Save the Children, and AFXB, on repatriation and trafficking prevention efforts. However, the regime's new draft restrictions on INGO activities in Burma could also affect these INGOs if implemented (reftel).

¶12. (C) Working level officials responsible for TIP issues and their UN and INGO counterparts told us that senior regime leaders are indifferent to their TIP efforts, and only allow them to continue because the issue does not affect their overall control of the population. Since the officials responsible for implementation know they will not receive adequate resources to fulfill the requirements of the stringent new law, they need outside support.

¶13. (C) Comment: Some of the senior officials who publicly supported anti-trafficking efforts at this seminar are the same people who restrict humanitarian aid and condone human rights abuses in other areas. They have not made the connection between defending the rights of trafficking victims and addressing the conditions that drive people into the arms of traffickers. The regime's refusal to address forced labor concerns will continue to offset the good efforts of working level officials tackling human trafficking. Our engagement on this issue in Burma and support for INGOs strengthens the resolve of well-intentioned officials who seek to stem the flow of Burmese victims of trafficking. Encouraging these officials to do the right thing on trafficking could open their minds to the fundamental causes. Unfortunately, the senior leadership shows no signs whatsoever of addressing these fundamental causes. End comment.

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